



LEVEL 1 - 47 OF 55 STORIES

Copyright (c) 1986 McGraw-Hill, Inc.;
Business Week

December 29, 1986

SECTION: TOP OF THE NEWS; Social Issues; Pg. 40

LENGTH: 820 words

HEADLINE: WARNING: IN MORE AND MORE PLACES, SMOKING CAUSES FINES

BYLINE: By Lois Therrien in Boston

BODY:

After Mar. 10, it could cost you \$ 25 or more to light a cigarette in any Cambridge (Mass.) store, theater lobby, or office building. That's when the city's ban on smoking in public places and offices goes into effect. The strict Cambridge law is the latest in a growing number of restrictions imposed by local and state governments, as well as by companies, to protect the health of their citizens and employees.

For employers, the prohibitions may turn out to be in their own best interests. On Dec. 8, a Washington State appeals court ruled that Helen McCarthy, a nonsmoker with a debilitating lung disease, could sue her former employer, the state health department, for negligence in exposing her to cigarette smoke in the office. In the first suit of its kind, McCarthy is seeking \$ 370,000 in damages.

The ruling comes amid mounting evidence that "passive," or environmental, smoke is a health risk to nonsmokers. On Dec. 16, in his strongest statement yet on the subject, U.S. Surgeon General C. Everett Koop issued a report concluding that passive smoke "can cause lung cancer in nonsmokers." A November study by the National Academy of Sciences estimates that passive smoke is responsible for 2,400 lung cancer deaths a year in the U.S. "To fail to act now on the evidence we currently have would be to fail in our responsibility to protect the public health," Koop says.

GROWING MOVEMENT. Already, about 150 cities and towns, from San Francisco to Aspen, Colo., to Newton, Mass., have passed smoking restrictions of varying severity. Forty states, the District of Columbia, and federal departments such as the U.S. Army and the Merit Systems Protection Board have instituted antismoking policies. Most of these restrictions have been imposed during the past two years, and other federal agencies and state and local governments are debating similar controls. In early December the General Services Administration instituted restrictions covering its 7,000 federal buildings, which will affect 890,000 out of a total of 2.3 million federal civilian employees. Senator Orrin G. Hatch (R-Utah) is also preparing a bill that would ban smoking on commercial airplanes and other forms of public transportation.

At first, doubters said smoking bans wouldn't be enforceable. But experience has proven otherwise. "People are realizing these restrictions do work," says John F. Banzhaf III, executive director of Action on Smoking & Health, a Washington nonsmokers' rights group. Ralston Purina, Texas Instruments, Pacific Northwest Bell, and many other companies restrict smoking at work. A June study of 660 companies by the Bureau of National Affairs found that 38% had some

2022875303

LEXIS[®] NEXIS[®] LEXIS[®] NEXIS[®]



(c) 1986 McGraw-Hill, Inc., Business Week, December 29, 1986

controls on smoking. An additional 21% were considering them.

Proponents argue that companies can save money by restricting smoking. If a company adopts a strict smoke-free policy, it can save up to \$ 5,000 a year per employee through lower absenteeism, reduced cleaning costs, and discounts on life, disability, fire, and industrial accident insurance, says William L. Weis, a director of the Smoking Policy Institute in Seattle. Cigarette smoke has other costs as well, he argues. It can easily damage hard-disk drives in microcomputers, for example, and replacing a hard disk costs \$ 1,000.

OUTNUMBERED. Robert D. Tollison, a George Mason University professor who has done research on behalf of the Tobacco Institute, the trade association for U.S. cigarette manufacturers, disputes Weis's findings. He says that smoking restrictions actually cost companies about \$ 900 annually per smoking employee because of lost time spent in smoking lounges. The Tobacco Institute claims that no scientific studies, including the Surgeon General's report, prove a link between passive smoke and nonsmokers' health problems. "It's a pretty poor idea to base a policy on science that won't support it," says Walker C. Merryman, Tobacco Institute vice-president.

Opponents of the bans also claim that they infringe on smokers' rights. The AFL-CIO and several individual unions argue that policies that control smoking at the workplace should be established through collective bargaining rather than by corporate or legislative fiat. Some minority organizations have argued that controls are discriminatory because nonwhites, as a group, smoke more than the general population.

Those opposing smoking restrictions are clearly outnumbered. Only 30% of Americans smoke, and the percentage of workers who smoke is even lower. Even smokers disagree on the issue. Weis, who has surveyed employees at several dozen companies, says: "In every instance, a majority of smokers favored strict restrictions" -- in part, to force them to quit smoking. More prohibitions seem inevitable. After all, the nonsmokers have Surgeon General Koop on their side, and he's calling for a smoke-free society by the year 2000.

GRAPHIC: Illustration, no caption, MARC ROSENTHAL

2022875304

LEXIS[®] NEXIS[®] LEXIS[®] NEXIS[®]